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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/667,637	09/22/2000	G. Victor Guyan	07752.0019	8161
28164	7590	05/31/2006	EXAMINER	
ACCENTURE CHICAGO 28164 BRINKS HOFER GILSON & LIONE P O BOX 10395 CHICAGO, IL 60610			FRENEL, VANEL	
			ART UNIT	PAPER NUMBER
			3626	

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/667,637	Applicant(s) GUYAN ET AL.	
	Examiner Vanel Frenel	Art Unit 3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-11 and 13-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-11 and 13-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the Amendment filed on 01/09/06. Claims 1 and 12 have been canceled. Claims 2-4 and 13-15, 24-26 have been amended. Claims 2-11 and 13-33 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-11 and 13-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Field (6073,104) in view of Little et al (5,359,509), for substantially the same reasons given in the previous Office Action, and incorporated herein. Further reasons are presented hereinbelow.

(A) As per the amended claim 4, Field discloses the limitations of "a method for capture, evaluation and fulfillment of line item level data, the method comprising steps performed by a data processing system, (See Field, Col.8, lines 38-67) of: "capturing at least one line item data in an insurance host server (See Field, Col.7, lines 31-67); evaluating the line item data during the processing of an insurance claim (See Field, Col.8, lines 3-58).

Field does not disclose that the method having enabling the selection of a payment type; and fulfilling the payment of a line item based on the evaluation of the line item data”.

However, these features are known in the art, as evidenced by Little. In particular, Little suggests that the method having enabling the selection of a payment type (See Little, Col.6, lines 28-58, Col.12, lines 1-54); and fulfilling the payment of a line item based on the evaluation of the line item data” (See Little, Col.14, lines 27-68).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Little within the system of Field with the motivation of providing the creation of a method and apparatus which would increase medical analyst productivity, provide consistent payment of payment requests and lower the costs of healthcare (See Little, Col.4, lines 15-20).

(B) As per the amended claim 15, Field discloses the limitations of “a system for capturing line item data, comprising: a processor for executing programs (See Field, Col.7, lines 9-67); a memory for storing a program executable by the processor, the stored program including instructions for (i) capturing at least one line item data in an insurance host server (See Field, Col.7, lines 31-67),

(ii) evaluating the line item data during the processing of an insurance claim (See Field, Col.8, lines 3-58); and

Field does not explicitly disclose that the system having (iii) fulfilling the payment of a line item based on the evaluation of the line item data and a user interface for enabling the selection of a payment type associated with said at least one line item".

However, these features are known in the art, as evidenced by Little. In particular, Little suggests that the system having (iii) fulfilling the payment of a line item based on the evaluation of the line item data (See Little, Col.6, lines 28-58; Col.12, lines 1-54); and a user interface for enabling the selection of a payment type associated with said at least one line item (See Little, Col.14, lines 27-68)".

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Little within the system of Field with the motivation of providing the creation of a method and apparatus which would increase medical analyst productivity, provide consistent payment of payment requests and lower the costs of healthcare (See Little, Col.4, lines 15-20).

(C) As per the amended claim 26, Field discloses the limitations of "a computer readable medium containing instructions for controlling a computer system to perform a method for capturing, evaluating, and fulfilling line item data, the method comprising: capturing at least one line item data in an insurance host server (See Field, Col.7, lines 31-67); evaluating the line item data during the processing of an insurance claim (See Field, Col.8, lines 3-58).

Field does not explicitly disclose that the computer readable medium having enabling the selection of a payment type.

However, this feature is known in the art, as evidenced by Little. In particular, Little suggests that the computer readable medium having enabling the selection of a payment type (See Little, Col.6, lines 28-58; Col.12, lines 1-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Little within the system of Field with the motivation of providing the creation of a method and apparatus which would increase medical analyst productivity, provide consistent payment of payment requests and lower the costs of healthcare (See Little, Col.4, lines 15-20).

(D) Claims 5-11, 16-22 and 27-33 have not been amended are therefore rejected for the same reasons given in the previous Office Action, and incorporated herein.

Response to Arguments

4. Applicant's arguments filed on 01/09/06 with respect to claims 2-11 and 13-33 have been fully considered but they are not persuasive.

(A) At pages 10-15 of the 01/09/06 response, Applicant's argues the followings:

(a) Field and Little fail to teach or suggest maintaining a vendor database on insurance server; placing an order with a vendor and tracking such an order with the insurance server and tracking the order on the insurance host server.

(B) With respect to Applicant's arguments, it is respectfully submitted that Applicant fails to properly consider the clear and unmistakable teachings of the applied references, particularly Field reference for his teaching "File Server at Central Location

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As described generally above with respect to FIG. 9, software 53 executing on the computer system 51 at the central location 50 has several functions: it receives the data from the provider and SPE sentinels 42 and 62 (53a and 53b); it captures the data from the SPE's commercial paper dealer (53c) and the contract between SPE and provider (53d); it reconciles all of the detail and summary level data (53e); it reports a credit scoring index based on each provider's payor effectiveness index and the credit rating for the payor (53l); it generates the financial accounting statements (53g) for the individual providers by tracking daily pools (53g); it creates asset/liability management reports to monitor and control interest rate and liquidity risk (53m); it reports financial statements (53f) to individual providers and concentration and tracking statistics (53i) to SPE's; it calculates performance statistics (53j), and it includes a contact management system (53k). As also noted above, FIG. 10 illustrates various tables and files 55 maintained on the file serve 56 at the central location 50, to be described below.

The contact management system executing on the central location computer system 51 keeps track of all of the parties who act as a source of information to the management intonation system 30. The contact system uses the data yields as shown in FIG. 29 for each SPE, provider, and commercial paper dealer. As illustrated in FIG. 10, four separate files 55a, 55b, 55c and 55d are set up to keep a record of the SPE/conduit, providers, commercial paper dealers, and payors respectively.

As noted above, the file server 56 receives information from both the provider and the SPF's locations. This data is electronically transmitted from the sentinels 42 and 62 at each location. The data is received by I/O computer 52 which scans it for viruses. If no

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viruses are detected, this information is then passed over the network 54 to the file server 56. The data is sent in electronic preassigned tables in an "mdb" file (Microsoft Database) with a specific provider designation on the file. The file server attaches the data in each of the preassigned tables for use in additional analyses. The preassigned tables are shown in FIG. 10. If a single provider is transmitting files to the central location 50 from multiple locations 40, the data in the files 43m is consolidated by central location software before further processing, as generally illustrated in FIG. 30. This consolidation is accomplished by software 53 by tracking each location separately and combining all of a provider's data together as it is needed for different calculations and reports. For example, to reconcile the amount the SPE says it advanced to the provider with the amount the provider's detail data shows should have been advanced, all of the advance amounts reported in the new daily pool table from the different locations need to be added together.

There are three types of data that is manually entered into the file server at the central location: payor credit rating related, contract related and commercial paper related. The file server tracks the credit rating on each individual payor's claim paying ability. The payor credit table (55t) contains the data fields shown in FIG. 31.

As illustrated in FIG. 32, software 53 tracks the information embodied in the contract between the commercial paper program and the provider. In the contract, the rate at which the SPE is to advance money against receivables of specific payors is documented. This is kept track of in a table 55o called advance rates, which also includes a provider and payor ID field. The contract also documents the fees that the

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various financial intermediaries involved in the SPE can charge. Financial intermediaries may include banks, monoline insurers commercial paper dealers. Operating agents and SPE sponsors. This information is tracked in a table 55p called third party fees. It also includes a provider and SPE ID field. Lastly, the contract specifies the maximum percentage an individual payor can represent of the claims sold to the SPE by a provider. These percentages are maintained in a table 55q called payor limit. The payor limit table 55q also includes SPE and provider ID fields" which correspond to Applicant claimed feature (See Field, Col.15, lines 24-67 to Col.16, line 30). As such, the Examiner respectfully submitted that such terms were given their broadest reasonable interpretations during examination, and since the applied reference clearly discloses the claimed limitations, when given their broadest reasonable interpretations, it is respectfully submitted that the Examiner's reliance on Field in indeed proper. Therefore, Applicant's arguments are not persuasive and the rejection is hereby sustained.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 571-272-6769. The examiner can normally be reached on 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

V.F
V.F

March 23, 2006


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER